

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4907 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

TAWFIG AHMEDBHAI QURESHI

Versus

GUJARAT STATE FINANCIAL CORPN.

Appearance:

MS HIMALI M DAVE for Petitioner
MR KM PATEL for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 06/04/99

ORAL JUDGEMENT

#. Heard the learned counsel for the parties.

#. Reply to the special civil application has been filed by respondent on 18th September 1995 and a copy of the same has been given to the learned counsel for the petitioner on the same day, but the petitioner has not filed any rejoinder to the reply, meaning thereby, the

averments made by respondent in the reply stand uncontroverted.

#. I find from para-3 of the reply of the respondent that there was a backlog of three posts for SEBC candidates. To fill in these three backlog posts of Stenographer from the reserved category - SEBC, selection was held on 30.1.92. It is true, two separate select lists have been prepared, one for Stenographer, Gr.III (English) and second for Stenographer, Gr.III (Gujarati). In the first select list which is there for Stenographer, Gr.III (English), one Mr.Kargathia Manoj V. belonging to SEBC category was placed at Sr.No.1 and he was given appointment. So far as the second list is concerned the name of petitioner is at Sr.No.3. The two candidates who were there in the list above the petitioner have been given appointments. The petitioner also belongs to SEBC category and none of the candidates belonging to this category, though lower in merits to the petitioner, have been given appointments. When only three posts were there and all the three posts of SEBC quota have been filled in by the persons who stood higher in merits than the petitioner, I fail to see any justification in the claim of the petitioner in this special civil application.

#. None of the legal or fundamental rights of the petitioner are being infringed. This writ petition is wholly misconceived and the same is dismissed. Rule discharged. Interim relief, granted by this Court, is vacated. No order as to costs.

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(sunil)